

REMARKS

Claims 28, 30, 32-33, 36-38, and 40-41 constitute the pending claims in the present application. Applicants respectfully request reconsideration in view of the following remarks.

Support for the methods as currently claimed can be found throughout the specification as filed and do not add new matter. For example, support for the claims can be found at the following sites:

- Claim 28 – paragraph 3 of page 2, lines 18-23 of page 7, lines 4-12 of page 9, pages 10-11, lines and the figures
- Claims 32-33 – Examples 5 and 7
- Claim 36 – pages 10-11
- Claim 38 – pages 7 and 12
- Claims 40-41 – page 13

Applicants thank Examiner Davis and Supervisory Patent Examiner Caputa for the interview of October 29, 2003, in which amended claims were discussed. As Supervisory Patent Examiner Caputa is familiar with the claims and the application, Applicants respectfully request that Examiner Caputa review and sign off on any future office actions for this application.

35 U.S.C. § 112, second paragraph

Claim 39 is rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite in the recitation of “low dose”. Applicants have cancelled claim 39, thereby obviating the rejection.

35 U.S.C. § 112, first paragraph, enablement

Claims 14-15, 17, 20-21, and 28-41 are rejected under 35 U.S.C. 112, first paragraph for allegedly lacking enablement for a method of inducing an immune response to prostate specific antigen, or an antibody that specifically binds to prostate specific antigen in a patient with prostate cancer, for the reasons of record in paper No. 24.

Applicants respectfully disagree with the Examiner for the reasons of record and those set forth herein.

Claims 14, 15, 17, 20-21, 29, 35, and 39 have been cancelled, thereby obviating the rejection with respect to these claims. Applicants reserve the right to pursue any cancelled subject matter in a continuing application.

The claims have been amended to recite an immune response is induced following administration of an antibody or antigen binding fragment thereof that binds to the same epitope that is bound by the monoclonal antibody produced by a hybridoma having ATCC designation No. HB-12526 (independent claim 28). Support for these claims and specifically for inducing the immune response may be found on pages 17-18, Example 3 on page 20, Example 8 on page 27 and Example 10 on pages 31-36.

We have amended the claims to clarify that the antibody administered is immunoreactive with the epitope that is bound by monoclonal antibody AR47.47. While we believe that the specification is enabled for a broader scope as discussed in previous responses, we have amended the claims to further prosecution of the claims.

For the reasons of record and those set forth herein, Applicants respectfully request reconsideration and withdrawal of the rejection.

35 U.S.C. § 112, first paragraph, written description

Claims 35-36 are rejected as allegedly failing to meet the written description requirement for the recitation of “one member of an immunologic pair”.

Applicants have cancelled claim 35 and amended claim 36 to delete the recitation of “one member of an immunologic pair”, thereby rendering the rejection moot. Applicants respectfully

request reconsideration and withdrawal of the rejection. Applicants reserve the right to pursue any cancelled subject matter in a continuing application.

35 U.S.C. § 112, first paragraph, enablement, scope

Claims 35-36 are rejected as allegedly failing to meet the enablement requirement for the recitation of “one member of an immunologic pair” or a “fragment of an antibody”.

Applicants have cancelled claim 35 and amended claim 36 to delete the recitation of “one member of an immunologic pair”, thereby rendering the rejection moot with respect to this phrase. Further, Applicants have amended the claims to recite “antibodies or antigen-binding fragments thereof” rather than a “fragment of an antibody”. Thus, an antigen-binding fragment of an antibody is readily known by those of skill in the art as being capable of binding to antigens. Applicants reserve the right to pursue any cancelled subject matter in a continuing application.

Applicants respectfully request reconsideration and withdrawal of the rejection.

35 U.S.C. § 102(b)

Claims 15, 17, 35, and 37 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Meyers et al. (*Prostate*, 1989, 14(3): 209-220).

The Examiner states at page 15 of the Office Action that due to the language of “comprising”, the epitope comprising the sequence of SEQ ID NO: 1 encompasses the full length prostate specific antigen sequence which is described by Meyers et al.

Applicants have cancelled claims 15, 17, and 35 thereby rendering the rejection moot with respect to these claims. Further, dependent claim 37 has been amended to depend from claim 28, wherein an antibody or antigen binding fragment thereof is immunoreactive with the same epitope bound by an antibody produced by a hybridoma that has ATCC Designation Number HB-12526.

At no point does Meyers et al. teach or suggest that the In-111 labeled monoclonal antibody is immunoreactive with the same epitope bound by an antibody produced by a hybridoma that has ATCC Designation Number HB-12526. Applicants assert, therefore, that dependent claim 37 is not anticipated by Meyers et al..

Applicants reserve the right to pursue any cancelled subject matter in a continuing application. Applicants respectfully request reconsideration and withdrawal of the rejection.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that the pending claims are in condition for allowance. Early and favorable reconsideration is respectfully solicited. The Examiner may address any questions raised by this submission to the undersigned at 617-951-7000. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission be charged to **Deposit Account No. 18-1945**.

Respectfully Submitted,

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Customer No: 28120
Docketing Specialist
Ropes & Gray
One International Place
Boston, MA 02110
Phone: 617-951-7000
Fax: 617-951-7050



Megan E. Jamroz
Reg. No. 54,196